

**FILED VIA EFS ON November 6, 2007**

**Attorney Docket No. 10078-703.201**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/791,916 Confirmation No.: 3842  
Applicant : Hugh R. Sharkey et al.  
(*pending correction of inventorship*)  
Filed : March 3, 2004  
Art Unit : 3738  
Examiner : UNASSIGNED  
Title : **Inflatable Ventricular Partitioning Device**  
Customer No. : **66854**

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**AMENDMENT AFTER APPEAL UNDER 37 C.F.R. §41.33**

MailStop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Applicants respectfully request amendment of the currently pending claims under 37 C.F.R. §41.33 ("Amendments and affidavits or other evidence after appeal"). A Notice of Appeal was filed in this case on September 10, 2007. Please amend the above-identified application as follows:

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.